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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JAMES JOHNSON, in his individual capacity
and as Executor of the Estate of Mark James
Johnson, deceased, and SANDRA JOHNSON,

Plaintiff,

vs.

EON LABS, INC., and DOES 1 to 20, inclusive,
Defendant.

No.: C 06-05769 SC

**STIPULATION OF DISMISSAL AND
ORDER THEREON**

1 It is hereby stipulated by and between the parties, by and through their undersigned attorneys,
 2 that pursuant to Fed. R. Civ. P. 41(a)(1)(ii) Plaintiff's Complaint shall be dismissed with prejudice on
 3 the merits. Each party shall bear its own costs, fees and expenses, including attorneys' fees, in
 4 connection with this voluntary dismissal. Judgment of dismissal with prejudice may be entered
 5 hereon pursuant hereto without further notice.

6 DATED: September 12, 2007

7 SEEGER SALVAS LLP

8
 9 By /s/ Brian J. Devine
 10 Brian J. Devine
 11 Attorneys for Plaintiffs
 12 James and Sandra Johnson

13 DATED: September 12, 2007

14 REED SMITH LLP

15 By /s/ Molly A. Taylor
 16 Molly A. Taylor
 17 Attorneys for Defendant
 18 Eon Labs, Inc.

19 **ORDER**

20 PURSUANT TO STIPULATION, IT IS HEREBY ORDERED:

21 DATED: 9/13/07

